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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vadim I. Rakhovsky

International Application No.: PCT/RU2003/000291

International Filing Date: 3 May 2003

Serial No.: 10/520,966 Group Art Unit: NOT YET ASSIGNED 417

Filed: January 10, 2004 Examiner: NOT YET ASSIGNEDFor: NANOMETRIC POSITIONING DEVICE Jonathan Newport

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22313-1450

Date

Steven E. Koffs, Registration No. 37,163

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR. § 1.56 in connection with the above-identified application, which statement is being filed:

- [] Together with the present application.
- [X] Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last, 137 CFR § 1.97(b)1
- After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR § 1.97(c)]
- [] After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR § 1.97(d)]

Attorney ket No.: U1286-00001

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

- [X] No separate requirements are needed.
- [X] No additional fee is required.

[] Fee Under 37 CFR § 1.97(c)

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

[] Fee Under 37 CFR § 1.97(d)

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

[] Certification Under 37 CFR § 1.97(e)

- Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- () No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement

Provision of Copies of References

- [X] Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).
- A copy of each of the references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.

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	form a part hereof.
[]	A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
[]	A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- [] This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application.
- [x] The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. <u>04-1679</u>. A duplicate copy of this transmittal is attached.

Respectfully submitted.

Attorney for Applicant(s)

DATE: 4-1-05

DUANE MORRIS LLP One Liberty Place Philadelphia, PA 19103-7396 Telephone: 215-979-1250

Fax: 215-979-1020

Steven E. Koffs Registration No. 37,163 Substitute for form 1449/PTO

Sheet 1

PTO/SB/08A (04-03)
Approved for use through 04/30/2003. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Usa as many sheets as necessary)

Application Number	10/520,966
Filing Date	January 10, 2005
First Named Inventor	Vadim I. Rakhovsky
Art Unit	2157- 4176
Examiner Name	NOT YET ASSIGNED

Attomey Docket Number U1286-00001 Johathan Newport

Examiner Initials*	Cite No.1	Document Number Number-Kind Coda ^{2 (f Answer)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/J.N./		US- 4,422,002	12-20-1983	Binnig et al.	
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Te
/J.N./		DE 42 26 072 A1	02-11-1993	Yanagisawa		1
		EP 0 899 058 A2	03-03-1999	Schreier, et al.		\checkmark
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Examiner		Date	12/15/2008
Signature	/Jonathan Newport/	Considered	12/10/2000

"EXAMINET. Intel a milerance considered, whether or not clation as in conformance with MPEP 609, Draw line through classion if not nonformance and not considered. Include copy of this form with next communication to applicant." Applicants unique cultion disagricus in number (opticus). "See Kinds Codes of conformation of the conformation of the

Institution a statement in required by 37 CFR 197 and 198. The information is required to obtain or retain is benefit by the public which is to fits enter by the information is required to obtain or retain is benefit by the public which is to fits enter by the information is proposed by \$8 U.Sc. 122 and \$7 CFR 14.1 The collection is satisficated to take 2 however to compete, including aptherior, preparing, and submitting the completed application from to the USPTO. Time will wany depending upon the individual case. Any comments on the amount of time you requirat on complete this from aniford exaggestors for requiring the burden, should be sent to the Chief information Officer. U.S. Patient and Trademark Officer, U.S. Department of Commence, Washington, C. 2023.1. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patients, P.O. 80x 1459, Alexandric Ny, 22231-1459.

If you need assistance in completing the form, cell 1-800-PTO-9199 (1-800-786-9199) and select option 2.